

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

LAVERNE M. LEONARD,

Plaintiff,

-against-

UNITED STATES OF AMERICA, ET AL.,

Defendants.

23-CV-8571 (LTS)

ORDER

LAURA TAYLOR SWAIN, Chief United States District Judge:

By order dated November 27, 2023, the Court dismissed this action as frivolous under 28 U.S.C. § 1915(e)(2)(B)(i). (ECF 5.) That order stated that any appeal from the order would not be taken in good faith, and therefore, the Court denied Plaintiff permission to proceed *in forma pauperis* (“IFP”) for the purpose of an appeal. (*Id.* at 6.) Plaintiff filed a notice of appeal to the United States Court of Appeals for the Second Circuit, and, on January 6, 2024, she filed an application to proceed IFP on appeal. As stated in the Court’s November 27, 2023 order of dismissal, Plaintiff’s request to proceed IFP on appeal is denied. (ECF 10.)

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

SO ORDERED.

Dated: May 6, 2024
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge